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8	UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON		
9	AT TACOMA		
10	JIMI JAMES HAMILTON,		
11	Plaintiff,	CASE NO. C13-5422 RJB	
12	v.	ORDER DECLINING ADOPTION OF REPORT AND	
13	SCOTT FRAKES et al.	RECOMMENDATION	
14	Defendant.		
15			
16	The Magistrate Judge recommends that Plaintiff's motion for voluntary dismissal of this		
17	42 U.S.C. § 1983 civil rights action be granted. Dkt. 33. The Plaintiff has filed an objection/		
18	motion to rescind earlier motion for voluntary withdrawal. Dkt. 34.		
19	The Court, having reviewed the Report and Recommendation of Magistrate Judge J.		
20	Richard Creatura, objection to the Report and Recommendation, and the remaining record, does		
21	hereby find and ORDER:		
22	1. The Court declines adoption of the	Report and Recommendation (Dkt. 33);	
23	 Plaintiff's Motion to Rescind motion (Dkt. 34) is GRANTED. 	on for voluntary withdrawal of complaint	
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1	3.	The matter is RE-REFERRED to the Magistrate Judge for further proceedings.	
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3		DATED this 27th day of December, 2013.	
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5		Kaler & Bryan	
6		ROBERT J. BRYAN United States District Judge	
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